

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SHERYL BARRETT-BOWIE,

Plaintiff,

v.

**AMERIDREAM EDUCATIONAL
CONCEPTS, LLC, ET AL.,**

Defendants.

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No. 3:12-CV-4343-M (BF)

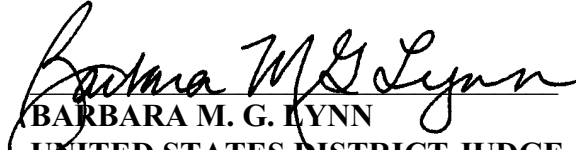
**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Paul D. Stickney dated June 23, 2014. Objections were filed, and the Court has made a *de novo* review of those portions of the proposed Findings, Conclusions, and Recommendation to which objection was made. The objections are overruled. The Court notes that the Motion for Sanctions was served by Movant Select Portfolio Servicing (“SPS”) on October 11, 2013 and that the Motion was filed on November 6, 2013, thereby satisfying Rule 11's safe harbor provision. Although Plaintiff’s counsel did not respond to Defendant’s Motion for Summary Judgment on the Plaintiff’s show-me-the note allegations, it urged that Defendant’s Motion should be denied in its entirety. Plaintiff’s Brief in Support of Defendant’s Motion for Summary Judgment (Doc. 60) at 17. Not until the response to SPS’s Motion for Sanctions did Plaintiff affirmatively withdraw the improper show-me-the note claims. Before then, she did not state that those claims were being waived or not pursued.

IT IS THEREFORE ORDERED that Defendant Select Portfolio Servicing, Inc.’s motion for Rule 11 sanctions against Plaintiff’s counsel is GRANTED. J.B. Peacock, Jr. and the law firm of Gagnon, Peacock & Vereeke, P.C. (“Peacock Firm”) are hereby reprimanded for filing pleadings

containing baseless factual allegations. Peacock and the Peacock Firm are further admonished to refrain from engaging in such conduct in the future.

SO ORDERED July 23, 2014.


BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS